

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

FREDDIE WILLIS,

Plaintiff,

vs.

THE CITY OF OMAHA, NEBRASKA,

Defendant.

**8:19CV211**

**ORDER**

This case is before the Court on pro se plaintiff's motion to re-open the case, [Filing No. 21](#). On May 4, 2020, the magistrate judge filed findings and recommendation to the Court. [Filing No. 18](#). The Court reviewed the recommendation and adopted it in its entirety. [Filing No. 19](#). On December 10, 2020, the pro se plaintiff filed this motion to re-open the case. Defendants object to the motion. [Filing No. 22](#).

The Court has carefully reviewed the request and finds it is without merit. First, the recommendation of the magistrate judge clearly stated that any appeal to this Court must be done within 14 days. [Filing No. 18 at 2](#). The plaintiff instead waited 7 and ½ months to file anything. Plaintiff contends that he did not receive a copy of the findings and recommendation. However, the docket entry specifically states that a copy was mailed to the pro se party. [Filing No. 18](#). In addition, the Memorandum and Order issued by this Court was likewise mailed to the plaintiff. [Filing No. 19](#). Further, even if the plaintiff did not receive these documents, the Court has reviewed the motion by the plaintiff and finds it lacks merit. Accordingly, the Court will deny the motion to re-open.

THEREFORE, IT IS ORDERED THAT plaintiff's motion to re-open the case, [Filing No. 21](#), is denied.

Dated this 27th day of January, 2021.

BY THE COURT:

s/ Joseph F. Bataillon  
Senior United States District Judge